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Commission on the Limits of the Continental Shelf

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New York, 30 January–17 March 2017

Progress of work in the Commission on the Limits of the Continental Shelf

Statement by the Chair

Summary

The present statement provides information on the work carried out by the Commission on the Limits of the Continental Shelf and its subcommissions during its forty-third session. In particular, it contains an overview of the progress made in the examination of the submissions made by the Russian Federation, in respect of the Arctic Ocean (partial revised submission); Brazil, in respect of the Brazilian Southern Region (partial revised submission); Argentina (partial revised submission); Norway, in respect of Bouvetøya and Dronning Maud Land; South Africa, in respect of the mainland of the territory of the Republic of South Africa; the Federated States of Micronesia, Papua New Guinea and Solomon Islands, jointly, in respect of the Ontong Java Plateau; France and South Africa, jointly, in respect of the area of the Crozet Archipelago and the Prince Edward Islands; Kenya; Mauritius, in respect of the region of Rodrigues Island; Nigeria; Seychelles, in respect of the Northern Plateau Region; France, in respect of Réunion and the Saint-Paul and Amsterdam islands; Côte d'Ivoire; and Sri Lanka. The statement also contains information about presentations made to the Commission of new or revised submissions made by Argentina (partial revised submission), and Sri Lanka. The statement also addresses the open meeting held on 10 March 2017 to commemorate the twentieth anniversary of the establishment of the Commission. In addition, it provides information about other issues dealt with by the Commission during the session.

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1. Pursuant to the decision adopted at its forty-first session (see CLCS/95, para. 113), as endorsed by the General Assembly in its resolution 71/257 (para. 100), the Commission on the Limits of the Continental Shelf held its forty-third session at United Nations Headquarters from 30 January to 17 March 2017. The plenary parts of the session were held from 13 to 17 February and from 6 to 17 March 2017. The other parts of the session were used for the technical examination of submissions at the geographic information system laboratories of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the Secretariat.

2. The following members of the Commission attended the session: Muhammad Arshad, Lawrence Folajimi Awosika, Galo Carrera, Francis L. Charles, Ivan F. Glumov, Richard Thomas Haworth, Martin Vang Heinesen, Emmanuel Kalngui, Wenzheng Lyu, Mazlan Bin Madon, Estevao Stefane Mahanjane, Jair Alberto Ribas Marques, Simon Njuguna, Isaac Owusu Oduro, Yong-Ahn Park, Carlos Marcelo Paterlini, Rasik Ravindra, Walter R. Roest, Tetsuro Urabe and Szymon Uścinowicz.[1]

3. The Commission had before it the following documents and communications:

(a) Provisional agenda (CLCS/L.42);

(b) Statement by the Chair on the progress of work in the Commission at its forty-second session (CLCS/96);

(c) Submissions made by coastal States[2] pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea;

(d) General Assembly resolution 71/257 on oceans and the law of the sea;

(e) Relevant communications from States parties to the Convention and States Members of the United Nations, including Argentina (28 October 2016, and 3 January and 14 February 2017); Brazil (29 November 2016); the Cook Islands (30 November 2016); Mauritius (30 January 2017); Nigeria (17 November 2016); Norway (8 February 2017); Seychelles (12 December 2016); Sri Lanka (8 February 2017); and Yemen (18 January 2017).

Item 1
Opening of the forty-third session

4. The Chair of the Commission, Mr. Awosika, opened the plenary meeting of the forty-third session of the Commission.

Item 2
Adoption of the agenda

5. The Commission considered the provisional agenda (CLCS/L.42) and adopted it, with amendments (CLCS/97).[3]

[1] Mr. Glumov attended the session from 14 February to 14 March. Mr. Urabe attended the session from 8 February to 10 March. Owing to health reasons, Mr. Haworth could not attend the session from 1 to 10 March. Owing to visa issues, Mr. Oduro could not attend the session from 30 January to 3 February.

[2] For a full list of the submissions made to the Commission, see www.un.org/Depts/los/clcs_new/commission_submissions.htm.

[3] In response to an invitation by the Chair to present their submissions to the Commission at its forty-third session, Bahamas and Canada indicated their preference to make presentations at a future session, on the understanding that the deferrals would not affect the position of their submissions in the queue.

Item 3
Organization of work

6. The Commission approved its programme of work and the schedule for deliberations, as outlined by the Chair.

Item 4
Open meeting on the occasion of the twentieth anniversary of the establishment of the Commission on the Limits of the Continental Shelf

7. During its forty-first session, the Commission had decided to convene a half-day open meeting during its forty-third session to commemorate the twentieth anniversary of its establishment. An open-ended working group with Messrs. Awosika, Carrera (Convener), Glumov, Lyu, Oduro, Park and Roest as core members had been established, with a view to facilitating the organization of the open meeting and the development of its programme (see CLCS/95, para. 114).

8. At the forty-third session, the Commission approved the programme of the open meeting, as prepared by the open-ended working group.

9. The open meeting was held during the morning of 10 March 2017.[4] Following the opening remarks made by the Chair of the Commission, presentations highlighting the achievements of the Commission and outlining several aspects its past and present work were made by Messrs. Carrera, Madon and Roest. The Secretary-General of the International Seabed Authority, Michael Lodge, and the President of the Tribunal for the Law of the Sea, Vladimir Golitsyn, made presentations concerning the relevance and importance of the work of the Commission for their respective bodies. The Under-Secretary-General for Legal Affairs and the United Nations Legal Counsel, Miguel de Serpa Soares, conveyed greetings on behalf of the Secretary-General of the United Nations, highlighted the scientific and technical complexity of the nature of the work of the Commission and stressed the ongoing commitment of the Organization to facilitating the work of the Commission. In doing so, he also expressed his gratitude to the States that made contributions to the two trust funds related to the work of the Commission. The open meeting was closed by the Chair of the Commission.[5]

Item 5
Workload of the Commission

Conditions of service of the members of the Commission

10. The Commission expressed its appreciation to the Secretariat for the upgrades made to its working space, pursuant to paragraph 93 of General Assembly resolution 70/235. The Commission took note of the measures adopted by the General Assembly, in paragraphs 96 to 99 of resolution 71/257, to address certain aspects of the conditions of service of the members of the Commission. The Commission also reiterated its views, expressed during previous sessions, on the issue of workload

[4] The open meeting was preceded by a reception, held on 9 March 2017. The reception and other arrangements for the anniversary celebration were made possible through generous support from Canada, China, Japan, Nigeria and Sri Lanka.

[5] For more information and links to the presentations delivered during the open meeting, see www.un.org/depts/los/clcs_new/clcsopen_2017.htm.

(see also CLCS/83, paras. 8-12, CLCS/85, paras. 9-13, CLCS/88, paras. 8-13, CLCS/90, paras. 8-11, CLCS/93, para. 8 and CLCS/95, para. 9).

Item 6
Consideration of the partial revised submission made by the Russian Federation in respect of the Arctic Ocean[6]

Report of the subcommission

11. The Chair of the subcommission, Mr. Carrera, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 27 February to 3 March 2017. During that period, it had continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure of the Commission (CLCS/40/Rev.1). The subcommission took note of two communications dated 16 February and 3 March 2017, respectively.

12. Two meetings had been held with the delegation, during which the subcommission had made a presentation on the status of the consideration of the submission up to the present session and the delegation had made two presentations as well as statements on procedural, organizational, scientific and technical aspects of the submission.

13. The subcommission had completed a "handover" document to ensure the continuity of its work, in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh meeting of the States parties to the Convention.

14. The subcommission had decided that it would resume its consideration of the submission during the forty-fourth session.

15. The Commission decided that the meetings of the subcommission during the forty-fourth session would be held from 21 to 25 August and from 5 to 8 September 2017, including meetings with the delegation. The Commission took note of a communication addressed to it on 3 March 2017 concerning organizational aspects of the consideration of the submission, and of the response by the Chair of the Commission.

Item 7
Consideration of the partial revised submission made by Brazil in respect of the Brazilian Southern Region[7]

Report of the subcommission

16. The Chair of the subcommission, Mr. Carrera, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 30 January to 10 February 2017. During that period, it had continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure.

17. Two meetings had been held with the delegation, during which the subcommission had made a presentation on the status of the consideration of the

[6] Submission made on 3 August 2015; see /www.un.org/depts/los/clcs_new/submissions_files/submission_rus_rev1.htm.

[7] Submission made on 10 April 2015; see www.un.org/Depts/los/clcs_new/submissions_files/submission_bra_rev.htm.

submission up to the present session and the delegation had provided a preliminary response.

18. The subcommission had completed a "handover" document to ensure the continuity of its work, in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh meeting of the States parties to the Convention.

19. The subcommission had decided that it would resume its consideration of the submission during the forty-fourth session.

20. The Commission decided that the meetings of the subcommission during the forty-fourth session would be held from 7 to 18 August 2017, including meetings with the delegation.

Item 8
Consideration of the submission made by Norway in respect of Bouvetøya and Dronning Maud Land[8]

Consideration of draft recommendations

21. The Commission resumed its consideration of the draft recommendations that had been presented to it by the subcommission at the forty-first session (see CLCS/95, paras. 27-33).

22. On 16 March 2017, following extensive deliberations on the draft recommendations in the plenary, a member of the Commission expressed his view that all efforts to achieve consensus had been exhausted and moved to close the debate on the agenda item. Having given the floor, in accordance with rule 28, to one member who opposed the motion and one member who favoured it, the Chair put the motion to the vote. The Commission decided in favour of the motion, by 11 votes to 5, with 2 abstentions. Subsequently, the Chair of the Commission put to the vote the approval of the recommendations as prepared by the subcommission. The Commission decided against the approval of the draft recommendations by 8 votes to 8, with 2 abstentions. Some members of the Commission expressed their regret that the draft could not be adopted, given the considerable work of the subcommission in the examination of the submission and extensive discussion with the delegation of Norway, as reflected in the draft recommendations. The Commission decided to defer further consideration of the item to the forty-fourth session.

Item 9
Consideration of the submission made by South Africa in respect of the mainland of the territory of the Republic of South Africa[9]

Consideration of the draft recommendations

23. The Commission resumed its consideration of the draft recommendations that had been presented to it by the subcommission at the forty-first session (see CLCS/95, paras. 34 to 36).

[8] Submission made on 4 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_nor_30_2009.htm.

[9] Submission made on 5 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_zaf_31_2009.htm.

Approval of recommendations

24. Given a lack of consensus among members on a number of aspects of the draft recommendations, the Chair proposed that the recommendations approved by the Commission be limited to those areas where a qualified majority of members would express a favourable opinion. Consequently, the recommendations approved by the Commission did not substantively address several areas covered by the submission. On 17 March 2017, following extensive deliberations, the Commission approved, without a vote, the recommendations of the Commission on the Limits of the Continental Shelf in regard to the submission made by the Republic of South Africa in respect of the area of the South African mainland on 5 May 2009, with amendments.

25. Members expressed appreciation for the constructive proposal by the Chair, which had facilitated the approval of the recommendations. In doing so, however, some members of the Commission expressed regret that the aforementioned recommendations could not be approved as presented by the subcommission.

26. Pursuant to article 6, paragraph 3, of annex II to the Convention, the recommendations, including a summary thereof, were submitted in writing to the coastal State and to the Secretary-General of the United Nations on 17 March 2017.

Item 10
Consideration of the joint submission made by Micronesia (Federated States of), Papua New Guinea and Solomon Islands in respect of the Ontong Java Plateau[10]

Consideration of draft recommendations

27. The Commission resumed its consideration of the draft recommendations that had been presented to it by the subcommission at the forty-first session (see CLCS/95, paras. 44 to 47).

Approval of recommendations

28. On 17 March 2017, following extensive deliberations, the Commission approved, without a vote, the recommendations of the Commission on the Limits of the Continental Shelf in regard to the joint submission made by the Federated States of Micronesia, Papua New Guinea and Solomon Islands concerning the Ontong Java Plateau on 5 May 2009, with amendments.

29. While not opposing the approval of recommendations without a vote, one member expressed his regret that a differing view on some substantive aspects of the approved recommendations, as presented by the subcommission in its draft recommendations, had not prevailed.

30. Pursuant to article 6, paragraph 3, of annex II to the Convention, the recommendations, including a summary thereof, were submitted in writing to the coastal State and to the Secretary-General of the United Nations on 24 March 2017.

[10] Submission made on 5 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_fmpgsb_32_2009.htm.

Item 11
Consideration of the joint submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands[11]

Report of the subcommission

31. The Chair of the subcommission, Mr. Njuguna, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 30 January to 3 February 2017, and on 27 February and 3 March 2017. During that period, it had continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure.

32. During the intersessional period, the joint delegation had addressed a communication to the subcommission confirming, among other things, that it was planning to provide new data and analyses resulting from data-collection activities scheduled for 2017. Consequently, no meetings with the joint delegation had been held during the present session, and the subcommission had focused on the completion of the "handover" document that it had started during the forty-second session to ensure the continuity of its work, in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh meeting of the States parties to the Convention.

33. The subcommission had decided that it would resume its consideration of the submission during the forty-fourth session.

34. The Commission decided that the meetings of the subcommission during the forty-fourth session would be held from 7 to 18 August 2017, including meetings with the joint delegation.

Item 12
Consideration of the submission made by Kenya[12]

Report of the subcommission

35. The Chair of the subcommission, Mr. Park, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 20 to 24 February 2017. During that period, it had continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure.

36. Two meetings had been held with the delegation, during which the delegation had made a presentation on the new data and information. The delegation had underscored that its presentation had not been made pursuant to paragraph 10.4 of annex III to the rules of procedure. The subcommission had made a presentation on its preliminary response and indicated that additional time would be needed to consider the new data and information and provide a full response to the delegation. The subcommission had transmitted to the delegation an initial request for clarifications regarding the new data and information.

[11] Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_frazaf_34_2009.htm.

[12] Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_ken_35_2009.htm.

37. The subcommission had completed a "handover" document to ensure the continuity of its work, in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh meeting of the States parties to the Convention.

38. The subcommission had decided that it would resume its consideration of the submission during the forty-fourth session.

39. The Commission decided that the subcommission would meet during the forty-fourth session from 24 July to 4 August 2017, including meetings with the delegation.

Item 13
Consideration of the submission made by Mauritius in respect of the region of Rodrigues Island[13]

40. It is recalled that, at the forty-first session of the Commission, the subcommission had completed its work on the draft of the recommendations without proceeding with their approval. At the present session, the Commission continued its consideration of a request contained in a letter from Mauritius dated 25 May 2016, addressed to the Chair of the Commission and re-emphasized in another communication dated 30 January 2017. Owing to the heavy workload, the Commission was not in a position to complete its deliberations.

41. The Commission decided that it would revert to the matter during the plenary part of the forty-fourth session.

Item 14
Consideration of the submission made by Nigeria[14]

Report of the subcommission

42. The Chair of the subcommission, Mr. Mahanjane, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 28 February to 3 March 2017. During that period, it had continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure, including consideration of the responses and the amendment to the submission that had been provided by the delegation at the forty-second session.

43. No meetings had been held with the delegation. The delegation had informed the subcommission that it had been reprocessing bathymetric data and would make them available before the beginning of the forty-fourth session, together with other responses to the requests made by the subcommission at the forty-second session.

44. The subcommission had completed a "handover" document to ensure the continuity of its work, in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh meeting of the States parties to the Convention.

45. The subcommission had decided that it would resume its consideration of the submission during the forty-fourth session.

[13] Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_mus_36_2009.htm.

[14] Submission made on 7 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_nga_38_2009.htm.

46. The Commission decided that the meetings of the subcommission during the forty-fourth session would be held from 21 to 25 August and from 5 to 8 September 2017, including meetings with the delegation.

Item 15
Consideration of the submission made by Seychelles in respect of the Northern Plateau Region[15]

Report of the subcommission

47. The Chair of the subcommission, Mr. Roest, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 30 January to 3 February 2017. During that period, the subcommission had finalized its draft recommendations and approved them on 3 February 2017. The draft recommendations had been transmitted to the Chair of the Commission on the same day.

Consideration of draft recommendations

48. On 13 February 2017, the subcommission introduced to the Commission the draft recommendations with regard to the submission made by Seychelles in respect of the Northern Plateau Region, through a presentation delivered by the Chair of the subcommission, Mr. Roest.

49. On 14 February 2017, the delegation of Seychelles participated in the proceedings of the Commission and made a presentation pursuant to paragraph 15 (1 bis) of annex III to the rules of procedure. The presentation was made by the Chair of the Seychelles Continental Shelf Subcommittee and head of the delegation, Michael Rosette; the Deputy Permanent Representative and Chargé d'affaires a.i. of the Permanent Mission of Seychelles to the United Nations, Beryl Samson; and two members of the Seychelles Technical Committee for Extended Continental Shelf Delimitation, Nichol Gabriel and Patrick Joseph. The delegation also included a number of advisers.

50. In its presentation, the delegation expressed its appreciation to the subcommission for its work. In addition to elaborating on substantive points of the submission, the delegation expressed its concurrence with the views and general conclusions of the subcommission arising from its examination of the submission.

51. The Commission then continued its deliberations in private and, taking into account the presentations made by the delegation and by the subcommission, commenced the consideration of the draft recommendations. Owing to the limited time available for the deliberations, the Commission was not in a position to approve the draft recommendations as presented. Consequently, in order to allow for a full consideration of all data and information, the Commission unanimously supported a proposal made by Chair of the subcommission to defer further consideration of the draft recommendations to the forty-fourth session.

[15] Submission made on 7 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_syc_39_2009.htm.

Item 16
Consideration of the submission made by France in respect of Réunion and the Saint-Paul and Amsterdam islands[16]

Report of the subcommission

52. The Acting Chair of the subcommission, Mr. Ravindra, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 27 February to 3 March 2017. During that period, it had continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure.

53. No meetings had been held with the delegation.

54. The subcommission had completed a "handover" document to ensure the continuity of its work, in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh meeting of the States parties to the Convention.

55. The subcommission had decided that it would resume its consideration of the submission during the forty-fourth session.

56. The Commission decided that the meetings of the subcommission during the forty-fourth session would be held from 21 to 25 August and from 5 to 8 September 2017.

Item 17
Consideration of the submission made by Côte d'Ivoire[17]

Report of the subcommission

57. The Chair of the subcommission, Mr. Roest, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 6 to 10 and from 20 to 24 February 2017. During that period, it had continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure, including, as previously decided (see CLCS/96, para. 38), issues relating to the test of appurtenance, and additional data and material submitted by the delegation during the present session in response to requests by the subcommission. In this connection, the subcommission had concluded that the test of appurtenance had been met by Côte d'Ivoire.

58. Four meetings had been held with the delegation, during which the delegation had made a number of presentations relating to the scientific and technical aspects of the submission, and the subcommission had made presentations in response thereof.

59. The subcommission had completed a "handover" document to ensure the continuity of its work, in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh meeting of the States parties to the Convention.

[16] Submission made on 8 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_fra_40_2009.htm.

[17] Submission made on 8 May 2009 and amended on 24 March 2016; see www.un.org/depts/los/clcs_new/submissions_files/submission_civ_42_2009.htm.

60. The subcommission had decided that it would resume its consideration of the submission during the forty-fourth session.

61. The Commission decided that the meetings of the subcommission during the forty-fourth session would be held from 24 July to 4 August 2017.

Item 18
Presentation and consideration of the submission made by Sri Lanka[18]

Presentation of the submission

62. The presentation of the submission was made on 17 February 2017, by the head of the delegation, the Permanent Representative of Sri Lanka to the United Nations, Rohan Perera; the Secretary-General of the Indian Ocean Marine Affairs Cooperation, Ministry of Foreign Affairs of Sri Lanka, Hiran Jayawardene; the Chair of the National Ocean Affairs Committee of Sri Lanka, Gritakumar Chitty; and the technical adviser and geologist of the National Ocean Affairs Committee, N.P. Wijayananda. The delegation of Sri Lanka also included a number of advisers.

63. In addition to elaborating on substantive points of the submission, Mr. Wijayananda indicated that no current member of the Commission had assisted Sri Lanka by providing scientific and technical advice with respect to the submission.

64. The Commission then continued its meeting in private. It recalled that it had already addressed the modalities for the consideration of the submission during the plenary part of the forty-first session, at which it had decided that, as provided for in article 5 of annex II to the Convention and rule 42 of the rules of procedure, the submission would be addressed through the establishment of a subcommission, without prejudice to the right of Sri Lanka to make a presentation of its submission at the plenary meeting of a future session. Consequently, the subcommission had been established on 18 August 2016 (see CLCS/95, paras. 108 and 109).

Report of the subcommission

65. The Chair of the subcommission, Mr. Haworth, reported on the progress of its work during the intersessional period and at the present session, noting that the subcommission had met from 6 to 10 and 20 to 24 February 2017. During that period, the subcommission had continued its analysis of the submission.

66. Four meetings had been held with the delegation, during which the subcommission and the delegation had exchanged views concerning the data and information submitted pursuant to requests by the subcommission.

67. The subcommission had completed a "handover" document to ensure the continuity of its work, in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh meeting of the States parties to the Convention.

68. The subcommission had decided that it would resume its consideration of the submission during the forty-fourth session.

69. The Commission decided that the meetings of the subcommission during the forty-fourth session would be held from 24 July to 4 August 2017.

[18] Submission made on 8 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_lka_43_2009.htm.

Item 19
Consideration of other submissions made pursuant to article 76, paragraph 8, of the Convention: presentation of the partial revised submission made by Argentina[19]

70. The presentation of the submission to the Commission was made on 14 February 2017 by the Permanent Representative of Argentina to the United Nations and co-head of the delegation, Martín García Moritán; the Undersecretary for Malvinas Islands, Antarctica and the South Atlantic and co-head of the delegation, María Teresa Kralikas; the General Coordinator of the Comisión Nacional del Límite Exterior de la Plataforma Continental, Frida M. Armas Pfirter; and the Coordinator of the Technical Subcommission and oceanographer, Ariel Troisi. The delegation of Argentina also included a number of advisers.

71. Mr. Moritán noted that the partial revised submission had been submitted by his Government following the recommendations adopted by the Commission on 11 March 2016 with regard to the submission made by Argentina on 21 April 2009.[20] He added that the partial revised submission made by Argentina covered only two points of the outer limit of the continental shelf of Argentina located in the north, close to the boundary with Uruguay, which had not been covered by the recommendations approved by the Commission on 11 March 2016. Ms. Kralikas conveyed the hope of her Government that the examination of the partial revised submission could be completed before the expiration of the term of office of the current members of the Commission.

72. Ms. Armas Pfirter informed the Commission that one of its members, Mr. Paterlini, had assisted Argentina in the preparation of the partial revised submission. She noted that the submission did not include any area subject to a dispute with other States or other cases of unresolved land or maritime disputes, in accordance with rule 46 of the rules of procedure.

73. The Commission then continued its meeting in private. Noting that it had not received any notes verbales from other States in relation to the partial revised submission, it addressed the modalities for the consideration of the partial revised submission. In doing so, it recalled the decision taken at its twenty-sixth session, whereby revised submissions would be considered on a priority basis notwithstanding the queue (see CLCS/68 and Corr.1, para. 57). Consequently, the Commission assigned the examination of the partial revised submission to the subcommission established to consider the submission made by Argentina on 21 April 2009. It noted that pursuant to rule 42, paragraph 2, of the rules of procedure, the current members of the subcommission were Messrs. Awosika, Carrera (Chair), Heinesen, Madon, Marques, Oduro (Vice-Chair) and Park (Vice-Chair) (see CLCS/76, paras. 26 and 27). The Commission decided that the subcommission would commence its work during the present session, on available dates between 20 and 24 February 2017.

[19] Submission made on 28 October 2016; see www.un.org/Depts/los/clcs_new/submissions_files/submission_arg_rev.htm.

[20] See www.un.org/Depts/los/clcs_new/submissions_files/submission_arg_25_2009.htm.

Report of the subcommission

74. The Chair of the subcommission, Mr. Carrera, reported on the progress of its work at the present session, informing the Commission that the subcommission had met on available dates during the week of 20 to 24 February and on 28 February 2017. During that period, the subcommission had transmitted a number of observations and queries to the delegation and received a reply from the delegation. Having considered responses by the delegation and having received the concurrence of the delegation to proceed without the exchange of presentations by the subcommission and the delegations, contemplated in paragraphs 10.3 and 10.4 of annex III to the rules of procedure of the Commission, the subcommission had prepared draft recommendations with regard to the partial revised submission. The subcommission had finalized the draft recommendations and approved them on 28 February 2017. The draft recommendations had been transmitted to the Chair of the Commission on the same day.

Consideration of draft recommendations

75. On 13 March 2017, the subcommission introduced to the Commission the draft recommendations with regard to the partial revised submission made by Argentina, through a presentation delivered by Messrs. Carrera and Madon.

76. On 13 March 2017, the delegation of Argentina participated in the proceedings of the Commission and made a presentation, pursuant to paragraph 15 (1 bis) of annex III to the rules of procedure. The presentation was made by Mr. Moritán, Ms. Armas Pfirter, Mr. Troisi, and a geologist, Yanina Berbeglia. The delegation also included the Deputy Permanent Representative of Argentina to the United Nations, Gabriela Martinic, and a number of advisers.

77. In its presentation, among other things, the delegation expressed its appreciation to the subcommission for its work and elaborated on substantive points of the partial revised submission. In addition to elaborating on scientific and technical matters relating to its submission, the delegation expressed its concurrence with the views and general conclusions of the subcommission arising from its examination of the submission.

78. The Commission then continued its deliberations in private. On 17 March 2017, the Commission approved without a vote the recommendations of the Commission on the Limits of the Continental Shelf in regard to the partial revised submission made by Argentina on 28 October 2016, with amendments.

79. Pursuant to article 6, paragraph 3, of annex II to the Convention, the recommendations, including a summary thereof, were submitted in writing to the coastal State and to the Secretary-General of the United Nations on 17 March 2017.

Item 20
Report of the Chair of the Committee on Confidentiality

80. The Chair of the Committee on Confidentiality, Mr. Park, reported that no meeting of the Committee had been held during the present session, as no issues within the purview of that Committee had been reported to it. Subsequently, the Chair of the Commission informed the Commission that he had received a note by the secretariat concerning access by some members to data and information which submitting States had classified as confidential, pursuant to annex II to the rules of procedure. The Commission requested that the Chair address this matter with the members concerned and report to the Commission at the forty-fourth session.

Item 21
Report of the Chair of the Editorial Committee

81. The Chair of the Editorial Committee, Mr. Haworth, reported that no meeting of the Committee had been required during the present session. He also informed the Commission that, as Chair of the Committee, he had continued to make editorial improvements in the template for draft recommendations on the basis of those recently approved. He encouraged members of the Commission to continue to review the template and to forward any additional comments or suggestions for improvements to him.

Item 22
Report of the Chair of the Scientific and Technical Advice Committee

82. The Vice-Chair of the Scientific and Technical Advice Committee, Mr. Haworth, reported that no meeting of the Committee had been held during the present session, owing to time constraints, and that no issues that fell within the purview of the Committee had arisen.

Item 23
Report of the Chair of the Training Committee and other training issues

83. The Chair of the Training Committee, Mr. Carrera, reported that no meeting of the Committee had been required during the present session and that no training activities with participation of the members of the Commission had taken place.

Item 24
Other matters

Communications from other States

84. On 30 November 2016, the Cook Islands had addressed a communication to the Commission concerning the recommendations in respect of the submission that they had made on 16 April 2009. The Commission took note of the communication and the views expressed therein.

Programme of meetings for future sessions

85. The Commission recalled its decision to hold its forty-fourth session between July and September 2017, with only one week devoted to plenary meetings, and the forty-fifth session between October and December 2017, with no plenary meetings (see CLCS/95, para. 113). The Commission took note of the fact that, in its resolution 71/257, the General Assembly had determined the dates of the forty-fourth session to be from 24 July to 8 September 2017 and those of the forty-fifth session to be from 16 October to 1 December 2017. The Commission further took note of the fact that the Assembly, in resolution 71/257 had established that the plenary parts of the forty-fourth session would be held on 24 July, from 28 to 30 August and on 1 September 2017.

New subcommissions

86. In accordance with its practice, the Commission reviewed the submissions next in line as queued in the order in which they had been received, namely, the submissions made by Myanmar; Yemen, in respect of south-east of Socotra Island; the United Kingdom of Great Britain and Northern Ireland, in respect of the Hatton Rockall area; Ireland, in respect of the Hatton-Rockall area; Fiji; Malaysia and Viet Nam, jointly, in respect of the southern part of the South China Sea; Viet Nam, in respect of the North Area; and Palau.

87. Noting that no communication that would have enabled the Commission to proceed with the consideration of any of those submissions had been received, the Commission decided to defer further the establishment of subcommissions. The Commission also decided that, given that those submissions remained next in line for consideration as queued in the order in which they had been received, it would review the situation again at a future session at the time of the establishment of a new subcommission (see CLCS 76, paras. 22-24).

88. The Commission then decided to establish a subcommission for the consideration of the submission next in line as queued in the order in which it had been received, namely, the submission made by Portugal. In doing so, the Commission took note of all relevant communications, including the communication from Morocco dated 31 July 2015, received following the presentation of the submission by Portugal at the twenty-fifth session. The Commission also decided that the appointment of the members of the subcommission would be made on the basis of its rules of procedure, in particular rule 42, paragraphs 1 and 2, and its practice, at the forty-fourth session, in view of the election of 21 members of the Commission, to be held at the twenty-seventh meeting of the States parties to the Convention. The Commission decided that the subcommission would meet during the forty-fourth session from 7 to 18 August 2017.

Trust funds

89. The Commission was informed by the Secretariat about the status of the voluntary trust fund for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission. As at 28 February 2017, the trust fund had an approximate balance of $340,000. In 2016 and 2017, contributions had been received from Canada, India, Japan, Mexico, Norway, the Republic of Korea and the Russian Federation.

90. For the present session, financial assistance had been provided to nine members of the Commission nominated by developing States, for an estimated total of $190,000. The funding requirements for the forty-fourth session, beginning in July 2017, were estimated at a minimum of $190,000, assuming that the level of coverage remained the same following the election of 21 members of the Commission at the twenty-seventh meeting of the States parties to the Convention, in June 2017.

91. The Secretariat noted that, should this level of coverage also be the same for the forty-fifth session, the current balance might not be sufficient to cover the remaining two sessions of the Commission in 2017, unless additional contributions were received. Regarding the reimbursement for travel medical insurance, such reimbursement could only be provided once sufficient funds were set aside to cover the travel and daily subsistence allowance for the remaining sessions of the Commission in 2017. The secretariat stated that it was aware that the continued contributions to the trust fund were of importance to facilitate the participation of

members from developing States in the work of the Commission and undertook to continue to bring the need for additional contributions to the attention of States. The Commission reiterated its concern regarding the inadequate financial situation of the trust fund and expressed the hope that a different, more durable solution could be identified by States parties, as reliance on the voluntary trust fund did not seem to be sustainable.

92. With regard to the voluntary trust fund for the purpose of facilitating the preparation of submissions to the Commission for developing States, in particular the least developed countries and small-island developing States, and compliance with article 76 of the Convention, as at 28 February 2017, the trust fund had an approximate balance of $1,105,000. In 2016, a contribution from Costa Rica had been received. No further contributions had been made since then. It was recalled that the General Assembly, in the annex to its resolution 70/235, had amended the terms of reference of the trust fund to allow for the provision of assistance to developing States to cover the travel and daily subsistence allowance costs associated with meeting with the Commission when their submissions were being examined and upon the invitation of the Commission. A total of three States had received assistance from the Trust Fund to participate in meetings held during the present session of the Commission.

Acknowledgements

93. The Commission noted with appreciation and gratitude the high standard of secretariat services rendered to it by the Division.

94. The Commission expressed its appreciation to other members of the secretariat for the assistance they had provided to the Commission and, in particular, noted the high professional standard of interpretation in the official languages of the United Nations and the assistance provided by the conference officers.

95. In closing the session, the Chair recalled the major achievements of the Commission in the past five years, emphasizing in particular that it had considered more submissions than during any term of office, and expressed his appreciation to the members of the Commission for their contribution to its work.